

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

WARREN ADAM TAYLOR,

Plaintiff,

v.

UNITED STATES POSTAL
SERVICE and PATRICK R.
DONAHOE,

Defendants.

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CV 114-049

O R D E R

On October 24, 2014, the Court granted Defendants' motion to dismiss. (Doc. no. 24.) On November 6, 2014, pro se Plaintiff filed a "motion for new trial." (Doc. no. 28.) For the reasons stated herein, the motion is **DENIED**.

Plaintiff argues that a new trial is warranted due to newly discovered evidence. The Court construes his filing as a motion for reconsideration pursuant to Federal Rule of Civil Procedure 59(e). See Rivero v. Taylor, 465 Fed. Appx. 839, 840 (11th Cir. 2012) (holding that motions filed within twenty-eight days of the entry of judgment are governed by Rule 59(e), whereas later motions are governed by Rule 60).

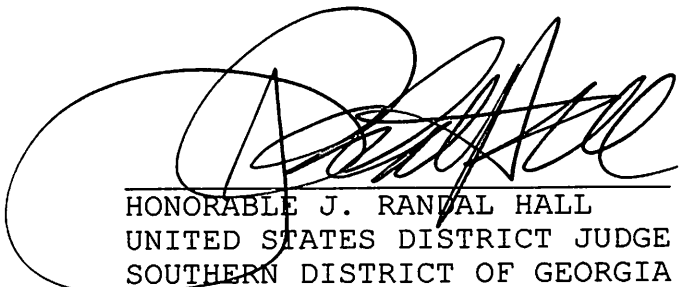
In considering a motion for reconsideration, a court must balance the need for finality and judicial economy against the need to render just decisions. D'Antignac v. Deere & Co., 2013

WL 6383113, *1 (S.D. Ga. Dec. 2013). Although Rule 59(e) does not set forth the grounds for relief, district courts in this Circuit have identified three grounds for reconsideration of an order: (1) the availability of new evidence; (2) an intervening change in controlling law; and (3) the need to correct clear error or prevent manifest injustice. Id. Reconsideration under Rule 59(e) is an extraordinary remedy, to be employed sparingly. Id. A movant must set forth facts or law of a strongly convincing nature to induce the court to reverse its prior decision. Id.

In his motion, Plaintiff seeks leave to "amend his complaint to include the local union to be apart of his complaint as co-defendant(s)" Although Plaintiff insists that he presents new evidence, the Court construes this filing as an attempt to relitigate his case and present new arguments. The Court finds that Plaintiff fails to meet the standard under Rule 59(e).

IT IS THEREFORE ORDERED that Plaintiff's motion for new trial (doc. no. 28) is **DENIED**.

ORDER ENTERED at Augusta, Georgia, this 12th day of January, 2015.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA